

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JUAN C. VALLES,
Plaintiff

v.

**WARDEN DAVID J.
EBBERT, *et al.*,**
Defendants

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No. 1:18-cv-1967

(Judge Rambo)

ORDER

AND NOW, on this 4th day of April 2019, in accordance with the accompanying Memorandum, **IT IS ORDERED THAT:**

1. Defendants' Motion to Dismiss (Doc. No. 10) is **GRANTED**;
2. Valles' Amended Complaint (Doc. No. 9) is **DISMISSED**;
3. Valles' "Motion in Support for Amend, Motion on First Amendment Mail Interference/Enhancement Claim" (Doc. No. 12) is construed as a motion for leave to file a second amended complaint and, so construed, is **GRANTED**; and
4. Valles is granted thirty (30) days from the date of this Order to file a second amended complaint regarding his First Amendment mail interference/enhancement claim. Valles is advised to adhere to the standards set forth in the Federal Rules of Civil Procedure and the directives set forth by this Court in its accompanying Memorandum. The Clerk of Court is **DIRECTED** to mail Valles a civil rights complaint form to use for filing his second amended complaint. Valles' failure to file a second amended complaint will result in the dismissal of this action.

s/Sylvia H. Rambo
SYLVIA H. RAMBO
United States District Judge